

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 08/15/2018

JUAN DIAZ,

Plaintiff,

-against-

CARNEGIE VALET CLEANING CORP., et al.,

Defendants.

1:17-cv-6402 (KHP)

ORDER OF DISMISSAL

KATHARINE H. PARKER, United States Magistrate Judge:

In this action under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §§ 201 *et seq.*, which is before this Court on the consent of the parties pursuant to 28 U.S.C. § 636(c), the parties, having reached an agreement in principle to resolve the action, have placed their proposed settlement agreement before this Court for approval. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 1999 (2d Cir. 2015) (requiring judicial fairness review of FLSA settlements). Plaintiff’s counsel also submitted a letter detailing why they believe the proposed settlement agreement is fair, reasonable, and adequate. (Dkt. 73.) This Court has reviewed these submissions in order to determine whether the proposed agreement represents a reasonable compromise of the claims asserted in this action, and, in light of the totality of the relevant circumstances, including the representations made in Plaintiff’s counsel’s letter, the terms of the proposed settlement agreement, and this Court’s own familiarity with the strengths and weaknesses of the parties’ positions, it is hereby ORDERED that:

1. The Court finds that the terms of the proposed settlement agreement are fair, reasonable, and adequate, both to redress the wage claims in this action and to compensate Plaintiff's counsel for their legal fees, and the agreement is therefore approved.

2. The Court declines to exercise jurisdiction to enforce the terms of the Agreement other than enforcement of the payment of the settlement that resolves the Plaintiff's wage claims.

3. As a result of the Court's approval of the parties' proposed settlement, this action is hereby discontinued with prejudice and without costs.

4. The Clerk of Court is directed to close this case on the Docket of the Court.

Dated: New York, New York.

August 15, 2018

SO ORDERED



KATHARINE H. PARKER
United States Magistrate Judge

Copies to:

All counsel (via ECF)